

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35967

STATE OF IDAHO,)	2009 Unpublished Opinion No. 639
)	
Plaintiff-Respondent,)	Filed: October 15, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
SEAN A. JACKSON,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Judgment of conviction and determinate sentence of five years, for felony malicious injury to property, affirmed.

Molly J. Huskey, State Appellate Public Defender; Elizabeth Ann Allred, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Stephen A. Bywater, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge; GRATTON, Judge;
and MELANSON, Judge

PER CURIAM

Sean A. Jackson pled guilty to felony malicious injury to property. Idaho Code § 18-7001. The district court sentenced Jackson to a determinate term of five years and retained jurisdiction. After the retained jurisdiction period, the district court placed Jackson on probation for four years. Jackson appeals asserting that the district court abused its discretion by imposing an excessive sentence.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Jackson's judgment of conviction and sentence are affirmed.